United Nations A/63/498

General Assembly

Distr.: General
23 October 2008

Original: English

Sixty-third session
Agenda item 114
Cooperation between the United Nations and regional and other organizations

Letter dated 21 October 2008 from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General

I have the honour, in my capacity as Chair of the group of Pacific Islands Forum countries represented in New York, to forward to you the communiqué of the thirty-ninth meeting of Pacific Islands Forum leaders, which was held in Niue in August (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 114.

(*Signed*) Rosemary **Banks**
Permanent Representative

08-56603 (E) 171108

Annex to the letter dated 21 October 2008 from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General

Thirty-ninth Pacific Islands Forum

Alofi, Niue
19-20 August 2008

Forum communiqué

1. The Thirty-Ninth Pacific Islands Forum was held in Niue from 19-20 August 2008 and was attended by Heads of State and Government of Australia, the Cook Islands, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, the Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu and representatives of Federated States of Micronesia and Palau. New Caledonia and French Polynesia attended the formal session as associate members and Timor-Leste, Tokelau, Wallis & Futuna, the Commonwealth Secretariat and the United Nations as observers. The Forum Retreat was held at the Matavai Resort, Niue.

2. Leaders expressed their deep appreciation to the Government and people of Niue for hosting the 2008 meeting, for the warm and generous manner in which they had been welcomed and for the arrangements made for the meetings.

PACIFIC PLAN

3. Leaders noted that the Pacific Plan was coming to the end of its third year and that considerable progress had been made in implementing initiatives across all four of its pillars, and in particular, in response to the *2007 Vava'u Decisions*. Challenges, however, remained. These included continuing human and financial capacity constraints in the implementation of some initiatives and the submission of timely reporting to support ongoing assessment of the Pacific Plan's progress.

4. Leaders noted that the momentum provided through the 2007 prioritisation process had helped focus the implementation of Pacific Plan initiatives, and agreed on the continuing need to set clear direction and targets for members, regional agencies and development partners. This would ensure that the Pacific Plan continued to be a 'living' document and the entry point for discussions on greater regional cooperation and integration through a range of processes at both the regional and international levels.

5. In following this precedent, Leaders agreed on a number of key commitments in order to move the Pacific Plan forward in the next twelve months. In summary, Leaders continued to accord priority to fisheries, energy, trade and economic integration, climate change and transport, in addition to information and communications technology, health, education, and good governance. Priority areas for attention under the Pacific Plan are listed in further detail in enclosure 1.

Food and Energy Security

6. Noting their concerns at rapid recent increases in food and fuel prices, Leaders emphasised the need, at the national level, to assess the implications and to respond appropriately (drawing on technical advice from the international financial institutions). Leaders also highlighted the critical importance of efforts to reduce dependence on oil through measures to improve energy efficiency and move towards greater use of renewable energy. Leaders requested that members share national experiences at the Forum Economic Ministers' Meeting at the end of October, and consider what regional cooperative efforts might help mitigate some of the worst effects of shifts in global prices.

Bulk Petroleum Procurement

7. Leaders underlined the need for urgent action to bring the bulk petroleum procurement initiative to fruition. In this context, they welcomed New Zealand's offer to fund a meeting of national experts in order to provide relevant advice for the October 2008 Forum Economic Ministers' Meeting, aimed at expediting implementation of the bulk petroleum procurement initiative. Leaders requested that Pacific Energy Ministers take further stock of the progress made at their meeting in April 2009, with a view to a finalised package of measures being adopted at the 2009 Leaders' meeting. Leaders called on the World Bank and other organisations to provide the assistance and support necessary at the regional and national levels.

Millennium Development Goals

8. Leaders noted that the international community was approaching the mid point in its commitment to achieve the Millennium Development Goals (MDGs) by 2015. Leaders noted that the Pacific region had to date shown mixed results against the MDGs and committed themselves to redouble their efforts to make faster progress towards their achievement. Leaders noted that Australia had redefined its commitment to the MDGs through the March 2008 Port Moresby Declaration, and was giving effect to this through a major new programme of Pacific Partnerships for Development with Pacific Island Countries.

Labour Mobility

9. Leaders welcomed New Zealand's provision of seasonal work opportunities for Pacific island countries and welcomed Australia's announcement of a pilot scheme as a means to greater economic integration and development. Recognising the crucial significance of remittances to many Pacific island economies, Leaders welcomed the work currently underway, and encouraged further work, aimed at reducing the costs to individuals of sending money home to Pacific island countries.

CLIMATE CHANGE

10. In line with the designation of climate change as the theme of the 2008 Forum, Leaders emphasised the great seriousness with which they regard the growing threat posed by climate change to the economic, social, cultural and environmental well-being and security of Forum members, particularly the Forum Island Countries. Leaders affirmed their commitment to the ongoing development and implementation of Pacific-tailored approaches to combating climate change.

11. Leaders stressed the importance of cooperating towards the establishment of an effective post-2012 framework in which all major economies would participate in a responsible manner, underlining the need to achieve both emissions reductions and economic growth in working toward climate stability.

12. Leaders expressed appreciation for Australia's commitment to the Kyoto Protocol and welcomed Australia's announcement of an A$150 million climate adaptation programme with a focus on the Pacific. Leaders also welcomed New Zealand's announcement that it would step up financial support for climate change adaptation. Leaders further welcomed the resources and technical assistance from Post-Forum Dialogue Partners including new initiatives such as the Japanese Cool Earth Promotion Programme and the European Union's Global Climate Change Alliance (GCCA), that support practical measures to address the impacts of climate change in Pacific Island Countries, while noting that the priority of Pacific Small Island Developing States (SIDS) is securing sustainable financing for immediate and effective implementation of concrete adaptation programmes on the ground.

13. Leaders recalled the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, which calls for SIDS, with the necessary support of the international community, to establish or strengthen and facilitate regional climate change coordination mechanisms, and calls on the international community to facilitate and promote the development, transfer and dissemination to SIDS of appropriate technologies and practices to address climate change.

14. In this context, Leaders adopted the Niue Declaration on Climate Change (see enclosure 2).

FIJI

15. Leaders:

(a) expressed serious concern at the failure by the Fiji Interim Government to attend the 2008 annual Pacific Islands Forum and considered this non-attendance unacceptable; and further stated that the Interim Government should have attended to account to Forum Leaders for the undertakings given at the 2007 Forum in Tonga to hold an election by March 2009, in accordance with Fiji's existing Constitution and electoral laws;

(b) condemned the recent statements by the Fiji Interim Government that were inconsistent with the undertakings provided to Leaders at the 2007 Forum regarding the holding of elections and a return to democracy;

(c) reaffirmed the importance of the Interim Government honouring the undertakings it made to Forum Leaders in 2007 to return Fiji to democracy by holding an election by March 2009, and to accept the outcomes of that election;

(d) acknowledged the importance of maintaining and encouraging continued pressure from the Forum and other members of the international community to meet the March 2009 deadline;

(e) reaffirmed the readiness of Forum members to continue to assist Fiji prepare for that election;

(f) commended the work undertaken by the Forum-Fiji Joint Working Group up to June 2008, and urged Fiji to demonstrate its good faith in maintaining a constructive relationship with the Forum by resuming participation in the Working Group;

(g) acknowledged that there are long-term issues that need to be addressed in Fiji, including through independent and inclusive political dialogue. In this context, Leaders recognised that a political dialogue process could assist in developing understandings among key stakeholders that would:

(i) create a more conducive environment for an election to be held under Fiji's existing Constitution by March 2009; and

(ii) address the process for ongoing dialogue that a newly elected government and key stakeholders would need to progress following an election in order to advance relevant reforms and promote national reconciliation. Accordingly Leaders expressed the Forum's support for a political dialogue process, providing it is:

- complementary to the implementation of Fiji's commitments to the Forum on elections, and not used to delay the elections;

- conducted as a genuine dialogue, without preconditions, threats, ultimatums or predetermined outcomes;

- supported by all key stakeholders;

(h) expressed the Forum's support for and willingness to assist in appropriate ways the Commonwealth-led political dialogue process, and directed the Ministerial Contact Group to monitor the progress of that dialogue and any political consensus within Fiji which might arise from it;

(i) emphasised the importance of Fiji maintaining respect for human rights and the rule of law;

(j) reiterated their appreciation for the solidarity with and support for the Forum's work on Fiji provided by other members of the international community;

(k) tasked the Ministerial Contact Group with continued monitoring of the Fiji situation, including the possibility of the Group returning to Fiji, and directed it to report back to Leaders before the end of 2008 on the situation regarding election preparations, and other key issues. The Ministerial Contact Group's report should include recommendations, taking into account practice in the Commonwealth and other relevant organisations, on further measures that the Forum should take to promote compliance by the Fiji Interim Government with its 2007 Vava'u election undertakings, with a view to strengthening the Forum's efforts under the Biketawa Declaration;

(l) agreed that following the receipt of the Ministerial Contact Group's second report, the Leaders would consider a further special meeting of Forum Leaders by the end of 2008 to consider special measures in relation to Fiji (consistent with paragraph 2(iv) of the Biketawa Declaration) and that measures to be considered included the suspension of particular governments from the Forum; and

(m) accepted in principle the offer of Papua New Guinea to host a special meeting.

REGIONAL ASSISTANCE MISSION TO SOLOMON ISLANDS

16. Leaders noted the positive relationship that had developed between the Regional Assistance Mission to Solomon Islands (RAMSI) and the Solomon Islands Government since the 2007 Leaders' Meeting in Tonga, and welcomed the progress made to date in developing a new partnership framework between the Solomon Islands Government and RAMSI. Leaders also noted the decision by the Solomon Islands Government to approve the RAMSI Task Force Review Report; and the initiation by the Solomon Islands Government of a review of RAMSI overseen by the Foreign Relations Parliamentary Committee, which will involve extensive consultations with RAMSI participating countries. Leaders agreed to refer the proposal by Solomon Islands that Papua New Guinea become a permanent member of the Forum Ministerial Standing Committee (FMSC) to the next meeting of the FMSC.

17. Leaders welcomed and endorsed Japan's interest in cooperating with RAMSI and noted that, as agreed by the FMSC on RAMSI, the Secretary General of the Forum would consult with Forum member countries, seek clarification from the Government of Japan on its proposed form of assistance and then refer the matter back to FMSC for further deliberation.

PACIFIC REGIONAL ASSISTANCE TO NAURU

18. Leaders noted that in response to their 2007 decision regarding regional support to Nauru through the Pacific Regional Assistance to Nauru (PRAN), assistance had continued to be extended to Nauru by Forum members, including as a one-off decision the write-off of Nauru's membership and PIC (Tokyo) contributions outstanding for the period between 2000 and 2006. Leaders agreed to extend PRAN, and in response the President of Nauru expressed his Government's deep appreciation for the Forum's assistance and acknowledged the special role played by the former Secretary General, Mr Greg Urwin, and the Governments of Australia and New Zealand in Nauru's efforts to recover from its economic financial crisis.

RADIOACTIVE CONTAMINANTS IN THE REPUBLIC OF THE MARSHALL ISLANDS

19. Leaders recognised the special circumstances pertaining to the continued presence of radioactive contaminants in the Republic of the Marshall Islands and reaffirmed the existence of a special responsibility by the United States of America towards the people of the Marshall Islands, who have been, and continue to be, adversely affected as a direct result of nuclear weapons tests conducted by the U.S. during its administration of the Marshall Islands under the United Nations Trusteeship mandate. Leaders reiterated their call on the U.S. to live up to its full obligations on the provision of adequate compensation and commitment to its responsibility for the safe resettlement of displaced populations, including the full and final restoration to economic productivity of all affected areas. Leaders noted that the U.S. Government has taken a position that all avenues to respond to the Changed Circumstances Petition under the original Compact as well as the amended Compact have been exhausted, and agreed to submit another letter to the U.S. Government urging the U.S. to take action in the aftermath of the Congressional hearings that established the lingering needs resulting from the U.S. Nuclear Testing Program. Leaders encouraged Forum Members to lend support to the Marshall Islands on this issue at the United Nations General Assembly, the United Nations Security Council, the Post-Forum Dialogue and other international fora.

REGIONAL INSTITUTIONAL FRAMEWORK REVIEW

20. Leaders:

(a) recalled their 2007 decision on the rationalisation of the Secretariat of the Pacific Islands Applied Geoscience Commission (SOPAC) functions into the Secretariat of the Pacific Community (SPC) and the Secretariat of the Pacific Regional Environment Programme (SPREP), without any substantive diminution in SOPAC functions, and the merger of the South Pacific Board for Educational Assessment (SPBEA) with SPC;

(b) expected that all work to define the new institutional arrangements, as well as plans for implementing those arrangements, would be finalised and jointly agreed by the CEOs of the relevant agencies for presentation to Leaders at the 2009 Leaders' meeting; and

(c) directed their representatives on the Governing Councils of the SPC, SOPAC, SPREP and SPBEA in 2009 (and prior to the Leaders' meeting) to take all the final decisions on the new institutional arrangements and implementation plans, with implementation to commence immediately after the Governing Council meetings and no later than 1 January 2010.

DOHA ROUND

21. Leaders exchanged views on the importance of the WTO rules-based multilateral trading system and the need to bring the Doha Development Round negotiations to a successful conclusion as soon as possible, particularly given the economic growth and development benefits this would deliver. Leaders noted that significant progress was made at the WTO ministerial meeting in July, and regretted that it had not been possible to agree on final agricultural and non-agricultural market access

modalities at that time. They agreed that it was vital that WTO members re-engage quickly to look at resolving these issues in the coming months, as well as to seek progress in other areas of the negotiations including services and rules. Leaders called for all WTO members to engage constructively and with urgency to reach an ambitious and successful conclusion to the negotiations.

COUNTRY INITIATIVES

Subregional Arrangements

22. Leaders agreed that only issues which are cross-cutting or have applicability or relevance to the whole Forum body should be considered by them.

Sports

23. Leaders supported the inclusion of Pacific island teams in expanded SANZAR rugby union tournaments, which would raise the profile of Pacific island players. Leaders also supported the inclusion of rugby as an Olympic sport and agreed to encourage their national Olympic Committees to support this objective within the deliberations of the International Olympic Committee.

Least Developed Countries Classification

24. Leaders agreed to increase collective efforts to raise awareness of vulnerability issues impacting on small island states, and urged the United Nations to keep under review the graduation criteria for Least Developed Countries so that the economic vulnerability criterion was given more prominence when considering graduation, particularly within the context of the country impact assessment reviews.

PACIFIC REGION INFRASTRUCTURE FACILITY

25. On 19 August 2008, Australia, New Zealand, the World Bank and the Asian Development Bank launched the Pacific Region Infrastructure Facility to assist Pacific island countries develop and maintain critical economic and other infrastructure. Leaders expressed appreciation for the Facility which would provide up to A$200 million funding over four years, initially focused on Kiribati, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

26. Improvements to the quality, reliability and availability of infrastructure in both rural and urban areas are crucial for boosting economic growth, creating jobs and providing access to basic services such as health and education. The Facility will help develop competitive local private sectors to deliver infrastructure maintenance and construction services. This will contribute to both job creation and sustainable economic growth in the Pacific. Transport infrastructure is expected to be an early priority for assistance. The Facility will assist Pacific Island Countries to improve roads, ports, and transport systems; support reliable energy and communications infrastructure; and improve their water, sanitation and waste management systems.

ASSOCIATE MEMBERSHIP

27. Leaders expressed support for Wallis and Futuna's commitment to enhanced regional engagement, noted that at present the territory's governance arrangements were still evolving toward a point where it could determine its own policy on regional issues, encouraged continued work to strengthen Wallis and Futuna's participation in the Forum as an observer, and agreed to take the question of its associate membership under review for the present, with consideration of the application again in two years' time.

POST-FORUM DIALOGUE

28. Leaders agreed that progressive steps towards Post-Forum Dialogue Partner status should include initial engagement in the Pacific Island Countries and Development Partners' Meeting, before a comprehensive analysis of their application for Post-Forum Dialogue status was undertaken.

LEVEL OF REPRESENTATION AT LEADERS' MEETINGS

29. Leaders agreed that if a Leader was unable to attend the Retreat, attendance should be restricted to a high level representative.

SMALLER ISLAND STATES LEADERS' SUMMIT

30. Leaders noted the outcomes of the Smaller Island States Leaders' Summit.

PACIFIC ACP LEADERS' MEETING

31. Leaders noted the outcomes of the Pacific ACP Leaders' meeting.

CANDIDATURES

United Nations Security Council

32. The Forum affirmed its strong and unanimous support for Australia's candidature for the UN Security Council for the two year term 2013-2014 and New Zealand's candidature for the two year term 2015-2016. Recognising the importance of Canada as a constructive partner for the region, the Forum also expressed support for Canada's candidacy for the 2011-2012 term.

Position of Regional Director – Regional Office for the Western Pacific of the World Health Organisation

33. Leaders noted the importance of the World Health Organisation (WHO), both at the regional and international level, and that Forum members constituted just over one half (16 out of 30) of the total membership of the Western Pacific region. Leaders also noted that the position of the Regional Director for the Western Pacific region of WHO would be decided upon at the next meeting of the WHO Regional Committee for the Western Pacific in Manila, Philippines, in September 2008. Leaders warmly endorsed and agreed to promote the Government of Tonga's candidate, the Hon Dr Viliami Tangi, the Deputy Prime Minister and Minister for Health, for the position.

SECRETARY GENERAL

34. Leaders agreed to appoint Tuiloma Neroni Slade as the Secretary General of the Pacific Islands Forum Secretariat for a three-year term.

35. Forum Leaders expressed their profound sorrow at the untimely passing of the Secretary General, Mr Greg Urwin. Leaders conveyed their sincere condolences to Mr Urwin's family at this deeply sad time for it. Leaders acknowledged Mr Urwin's commitment and outstanding contribution to the political, economic and social development of the Pacific region. Leaders also acknowledged his strong leadership as Secretary General that led to many major achievements, including the firm establishment of the Pacific Plan as the platform for ongoing, strengthened regional cooperation and integration for the benefit of the people of the Pacific and his role in enhancing the international standing of the Forum. Leaders noted that Mr Urwin was a strong advocate for the Pacific and his passing represented a great loss. His significant service to the Pacific Islands Forum would be remembered by all who had the privilege of working with him.

36. Leaders welcomed the offer by the Prime Minister of Australia to fund the establishment, through the Forum, of five Annual Leadership Awards, to be awarded by the Forum, its Chair and the Secretariat, in the name of Greg Urwin. Leaders further welcomed the announcement by the Prime Minister of Solomon Islands to posthumously award the Cross of Solomon Islands to Mr Urwin in recognition of his outstanding contribution to RAMSI.

APPRECIATION

37. Leaders commended the outgoing Chair, Honourable Feleti V Sevele, Prime Minister of the Kingdom of Tonga, and his Government for their leadership of the Forum over the past year.

VENUE

38. Leaders welcomed the Government of Australia's offer to host the 2009 Forum and the Government of Vanuatu's offer to host the 2010 Forum.

Niue
20 August 2008

Enclosure 1

PACIFIC PLAN

In order to advance the Pacific Plan over the next twelve months, Leaders:

Food Security

- acknowledged the high importance of food security as an emerging issue which posed challenges for the future well being of people across the region;
- recognised the opportunities that high food prices offered to increase Pacific food production and called on all countries to give priority to increasing this production;
- called on all countries to maintain open markets and, where possible, to increase the production and supply of healthy food, noting the particular relevance of the early successful conclusion of the Doha Round in this regard;
- committed their governments to immediate action to address food security issues nationally and where possible regionally through a range of measures across key sectors such as agriculture, fisheries, trade and transport;
- called on regional technical agencies to assist in supplementing national capacity in these areas by assisting in research and the development of more robust national policies and practical responses;
- called on Forum Economic Ministers to consider the most appropriate national and regional responses to rising global food prices at their 2008 meeting; and
- called on the Forum Secretariat and the Secretariat of the Pacific Community (SPC) to explore avenues for intra-country trade in locally grown food commodities.

Fisheries

- reaffirmed the 2007 Vava'u Declaration on Pacific Fisheries Resources as providing a comprehensive framework to address the region's priority to secure the long-term flow of benefits from conservation efforts and sustainable management of the region's fisheries resources in accordance with the precautionary approach and existing international commitments;
- recognised the special requirements and development aspirations of smaller island developing states and the need to ensure that conservation and management measures did not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto smaller island developing states;
- reaffirmed the central importance of regional solidarity in achieving long-term effective fisheries management of the tuna resources in the Western and Central Pacific Fisheries Commission (WCPFC) and encouraged Forum members to adopt a coordinated approach in their negotiations in the WCPFC;

- committed their governments to provide sufficient national resources to the fisheries sector, continue to support the direction offered by the Forum Fisheries Committee over 2008, and adhere to their commitments under relevant international instruments; and called on the Pacific Islands Forum Fisheries Agency (FFA) and SPC to supplement national capacity and support regional action with a particular focus on:
  - developing effectively managed and sustainable national tuna industries;
  - implementing with the assistance of FFA, comprehensive fisheries conservation measures to protect stock levels in their coastal and exclusive economic zones and on the high seas, commending the initiative the Parties to the Nauru Agreement took in adopting strong measures through the 3rd Implementing Arrangement and noting the call by PNA Leaders for full implementation, without delay of the 3rd Implementing Arrangement including the Additional Terms and Conditions of Access to the EEZ of the Parties;
  - expediting improved regional monitoring, control and surveillance;
  - supporting the sustainable and effective management of national coastal fisheries and stock assessments and the expansion of aquaculture for future food security;
  - continuing to press distant water fishing nations to comply with all relevant national and international laws and conventions to ensure the long-term sustainability of tuna stocks;
  - progressing urgent efforts to delineate extended Continental Shelves and prepare submissions to the UN Commission on the Limits of the Continental Shelf by May 2009 and urging member States to delimit their maritime boundaries for improved governance and management of ocean resources; and
  - progressing collectively, while also seeking to engage the USA and France, strengthened mechanisms to protect regional fisheries via new multilateral Pacific regional arrangements patterned on the Niue Treaty Subsidiary Agreement model for exchange of fisheries law enforcement data, cross vesting of enforcement powers and the use of fisheries data for other law enforcement activities.

Energy

- acknowledged the high importance of energy security as a regional priority in light of the continuing and rapid rise of global fuel prices, as an issue which posed challenges for the future well being of people across the region;
- invited Forum Economic Ministers to consider adopting, as the theme for their meeting which Vanuatu had offered to host in the week commencing 27 October, the impact of and responses to rising global commodity and energy prices;
- committed their governments to provide sufficient national resources and policy focus to the energy sector and called on appropriate regional bodies, including the Pacific Power Association, Secretariat of the Pacific Islands Applied Geoscience Commission (SOPAC) and Secretariat of the Pacific Regional Environment Programme (SPREP) to

supplement national capacity and support regional action, with special attention to continuing the implementation of the Pacific Islands Energy Policy and Pacific Energy Ministers' 2007 Communiqué and in particular:

- strengthening and implementing robust national energy policies;
- taking immediate steps to achieve greater supply-side and demand-side energy efficiency;
- supporting the adoption of a whole-of-region approach towards appropriate renewable energy alternatives, infrastructure and capacity including seeking access to multi-lateral sources of funds and expertise;
- increasing the technical capacity of power utility staff and management;
- progressing the initiative on bulk procurement of petroleum as a matter of urgency; and
- tasking the Forum Secretariat and SOPAC to develop a regional energy project to be funded under the EDF10 Regional Indicative Programme.

Economic Integration and Trade

- reaffirmed the continuing importance of pursuing greater economic integration and trade as a regional priority;
- endorsed the outcomes of the Forum Trade Ministers Meeting in Cook Islands on 22 July and in particular:
  - the need for officials to formulate a detailed road map on PACER Plus, with the view to Leaders agreeing at the 2009 Forum to the commencement of negotiations; and
  - the strong shared desire and agreement to move forward with PACER Plus by commencing work to build national negotiation capacity of Pacific Islands Countries with support from Australia and New Zealand, recognising the priority placed by Pacific Island Countries on the early appointment of a Chief Trade Advisor;
- committed their governments to provide sufficient national resources and policy focus to support better economic integration and trade and called on appropriate regional organisations, including the Forum Secretariat and south-pacific.travel, to supplement national capacity and support regional action with a particular focus on:
  - progressing the implementation of regional trade agreements and the continued attention on trade in services and labour mobility more generally;
  - strengthening private sector participation in economic development through the creation of the necessary enabling environments;
  - continuing to strongly support tourism industries through work to access potential markets, build the region's 'brand' name and better plan infrastructure to support air and sea tourist arrivals and improve research and collection of statistics;

- continuing the implementation of the economic reform programme promoted and regularly reviewed by the Forum's Economic and Finance Ministers;
- supporting liberalisation of international agricultural markets to address distortions that impede production and inflate prices; and
- supporting strategies to address revenue implications of trade liberalisation agreements and developing export orientated industries.

Climate Change

- reaffirmed the continuing urgency of addressing the challenges posed by and the impacts of climate change as a regional priority;
- called on SPREP to urgently carry out a comprehensive review of regional meteorological services, reporting intersessionally to Leaders as soon as practicable on all options, including building on existing arrangements and consideration of other service providers;
- committed their governments to provide the necessary national resources and policy focus to address the challenges of climate change, and called on appropriate regional bodies, including SPREP, SOPAC, SPC and the University of the South Pacific to support national efforts and take a leadership role in supporting and implementing relevant regional actions to address climate change, with a particular focus on:
  - pursuing and implementing mitigation and adaptation measures;
  - mainstreaming human security issues;
  - improving preparedness for the impacts of increasing natural disasters through the implementation of national action plans;
  - addressing the vulnerability of Pacific Islands to climate change and subsequent impacts on people, land, water, food security, infrastructure, and natural resources;
  - continuing to work collaboratively to rationalise the roles of the various regional organisations and to harmonise donor engagement; and
  - improving the capacity of countries in the region to engage in the ongoing United Nations Framework Convention on Climate Change negotiations for a post-2012 global climate change agreement which are scheduled to conclude in 2009.
- appreciated Australia's commitment to the Kyoto Protocol and welcomed Australia's announcement of a A$150 million climate adaptation programme with a focus on the Pacific; and
- welcomed New Zealand's announcement that it would step up financial support for climate change adaptation.

Transport

- reaffirmed the continuing importance of transport as a regional priority;
- welcomed the benefits that had flowed to the region from the liberalisation of aviation and encouraged further movement down this path;
- encouraged member countries, where they had not already done so, to sign and ratify the Pacific Islands Air Services Agreement;
- welcomed the commencement of the Pacific Aviation Safety Office's full operations and urged members to make use of its services where possible and consider more appropriate and sustainable funding options;
- committed their governments to provide sufficient national resources and policy focus to improve transport, and called on SPC and other regional bodies as appropriate to supplement national capacity and support regional action with a particular focus on:
  - improving air and maritime services, safety and security, ensuring all necessary international standards and requirements are met and sustained; and
  - expediting efforts to resolve impediments to the region's smaller island states enjoying better and more reliable air and, in particular, maritime services.

Information and Communications Technology

- reaffirmed the continuing importance of information and communications technology (ICT) as a regional priority;
- welcomed the benefits to the region of telecommunications deregulation and encouraged its continuation among members; and
- committed their governments to provide sufficient national resources and policy focus to improve ICT and called on SPC and USP to supplement national capacity and support regional action in the ICT sector with a particular focus on the continued implementation of the digital strategy.

Land

- welcomed the work undertaken by the Forum Regional Security Committee on issues related to customary land administration and conflict minimisation, and lessons learnt from the Pacific and globally, and in accordance with its recommendations, endorsed the importance of addressing these issues as a region-wide priority at the national level by:
  - recognising that land management is a national responsibility;
  - adopting the Land Management and Conflict Minimisation principles and guiding framework (attached) where appropriate;
  - developing a regional initiative under the Pacific Plan to support members in progressing land management and conflict minimisation efforts within respective national development contexts while taking account of capacity constraints; and

- recognising the complex nature of land issues within member countries and their connection to a range of broader security concerns, including migration, urbanisation, increasing numbers of disenfranchised youth, and population displacement caused by climate change and natural disasters.

Health

- reaffirmed the continuing importance of health as a regional priority;
- committed their governments to provide sufficient national resources and policy focus to the health sector, continue to support the direction offered by the region's Ministers of Health, and called on SPC to supplement national capacity and support regional action with a particular focus on:
  - the continued implementation of the *2007 Vanuatu Commitment* and especially action to:
    - mitigate non-communicable diseases and communicable diseases including HIV and sexually transmitted infections;
    - support work on human resources for health and health system strengthening; and
    - address emerging challenges impacting on health such as climate change and environmental and food security.

Education and Human Resource Development

- reaffirmed the continuing importance of education as a regional priority;
- committed their governments to provide sufficient national resources and a policy focus to the education sector and continue to support the direction offered by the Forum Education Ministers, and called on the Forum Secretariat, South Pacific Board for Educational Assessment, USP and SPC to supplement national capacity and support regional action with a particular focus on:
  - supporting the rationalisation and harmonisation of education initiatives across the region;
  - supporting the training of people and their possible pursuit of economic opportunity across the region including through improved quality and access to technical and vocational education and training;
  - improving the quality of education through better teacher training and up skilling, more adequate resources and the use of assessment;
  - promoting greater attention to building life skills and other forms of formal and non-formal education to assist Pacific island children prepare for their futures;
  - working to improve access to education opportunity particularly through distance and flexible learning for the region's youth and disadvantaged groups;

- supporting the implementation of the Pacific Regional Framework and Action Plan coordinated by the Pacific Centre for Environment /USP in collaboration with regional and international organisations for Education for Sustainable Development; and
- reaffirming the importance of higher and tertiary education as complementing efforts to strengthen national development.

Governance

- reaffirmed the continuing importance of achieving good governance as a fundamental regional priority;
- committed their governments to provide sufficient national resources and policy focus to achieve the highest standards of governance and called on appropriate regional bodies, in particular the Forum Secretariat and SPC, to supplement national capacity and support regional action with a particular focus on:
  - improving standards of accountability and integrity and welcomed:
    - the work of key partners, including the region's Auditors-General, the Pacific Association of Supreme Audit Institutions Secretariat (PASAI) the Asian Development Bank and the International Organisation of Supreme Audit Institutions in supporting the development of the Pacific regional audit initiative;
    - PASAI's decision to substantially strengthen its Secretariat in this respect through enhanced regional cooperation in support of training and advisory services; and
    - initiatives to assist in implementing sub-regional responses as in Kiribati, Nauru and Tuvalu, and to design and implement region-wide performance audit work and capacity building programmes;
  - building demand for better governance and supporting increased levels of participation in political and democratic processes;
  - continuing to support the strengthening of leadership, through training and enhancing other governance mechanisms; and
  - giving high priority to reform, better coordination and strengthening of statistical capabilities to improve evidence based government planning, decision making and service delivery.

Land Management and Conflict Minimisation Guiding Principles

The principles outlined below are intended to provide member countries with a framework within which to discuss country-specific matters of land reform. These principles are consistent with the principles set out in the Biketawa Declaration (Forum Leaders 2000) and the Forum Principles of Good Leadership (Forum Leaders 2003), and also build on the Forum's Potential Guidelines for Good Land Policy (FEMM 2001). They have been endorsed by the Forum Regional Security Committee (FRSC).

The guiding principles when considered together with the implementation framework that follows, will guide the identification of strategies to bring about desired reforms in customary land administration and management.

The improvement in land-based economic development whilst minimising land-related conflict, entails the following two closely intertwined dimensions:

A. The improvement of customary land administration and land management to facilitate economic use of customary land whilst minimising local-level land-related conflict; and

B. The improvement of land-related conflict resolution mechanisms for local-level land-related conflict and the prevention of escalation of land-related grievances into large scale conflict.

In addition there are a set of principles that are applicable to both dimensions:

C. The role of government, information and capacity development.

A. The improvement of customary land administration and management to facilitate economic use of customary land whilst minimising local-level land-related conflict

Principle 1: Customary land policy reforms should respect and protect customary ownership and individual use rights as defined by social relations and customary laws.

Principle 2: Customary land reform efforts should be placed in the broader context of national development goals, recognising that there can be no security without equitable development and that optimal economic development cannot be realised without an enabling social and political environment that also promotes democratic and peaceful existence.

Principle 3: Customary land reform efforts should be based on the recognition that Pacific societies are in a state of flux, with changing needs, values and aspirations of people as a result of modernisation, global integration and imperatives of the cash economy.

Principle 4: Active participation of customary landowners and other stakeholders in customary land management efforts is essential if nation-wide ownership of the process and outcomes is to be secured.

A nation-wide or incremental approach to customary land reforms should be guided by a stakeholder-based national land policy that articulates a clear national vision about the balance between customary laws and the formal systems of customary land administration and land management.

Consultation and active participation by all stakeholders in the negotiation of leases is crucial to ensure their acceptability and to minimise the opportunity for future disputes.

Consensus-based solutions should include the strengthening of customary and formal institutions and decision-making processes that suit local social, cultural (customary) and political characteristics, and reflect principles articulated in the Biketawa Declaration, principles of good leadership and gender equity.

Principle 5: Customary land tenure can be strengthened by the clarification of its core elements.

The clarification of customary land tenure requires the recording of landowning groups and their membership, claimed land area, the rights of members residing on customary land, the rights of absentee members, representational and distributional authority, and the customary laws that are used to determine such rights and roles. These processes would be consistent with national commitments on equity, including gender equity where the country is a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Formal registration of landowning groups may be attempted as a second step but only in high demand areas where the need for more formalised land registration is essential.

Customary land reform processes adopted in a country should allow for diversity in customary laws found across landowner groups, and the recognition that communities differ in the strength of their traditional lifestyle and degree of individualism found in the group.

Principle 6: Dealings in land should be fair and reflect equitable returns to customary landowners, investors and lessees, based on the economic value of their inputs and market principles.

Leases should be secure and lease conditions should be clear about key factors including exclusivity, duration, renewal on expiry, compensation for any improvements at the time of expiry, amount of premium and annual rent, and conditions regarding sub-leasing or trading of leases.

Returns to landowners, in the form of land rent plus premium, and lessees must be based on market principles and be fair to the lessees' investment and land owners' superior interests.

Governments must follow due process of acquisition for public purposes and provide landowners a fair market based compensation for land acquired. Alternatively, governments may consider negotiating a long term leasing arrangement under 'fair' market rental conditions instead of outright acquisition.

Distribution of returns to land amongst current and future generations of members of land owning groups should be based on core principles of equity, taking into account agreed local customs. This distribution can be facilitated using landowning units (LOUs)/ village-level trusts or similar arrangements, combining elements of traditional systems and company structures and processes, and guided by good governance principles.

B. The improvement of land-related conflict resolution mechanisms for local-level land-related conflict and prevention of escalation of land-related grievances into large scale conflict

Principle 7: Customary and formal resolution mechanisms should be treated as part of a continuum of the resolution of local-level land-related conflicts.

The improvement of land-related conflict resolution mechanisms should consider the balance between the need for impartiality and contextual knowledge pertaining to land, and the balance between the need for win-win and win-lose solutions. These questions, in turn, need to be balanced with considerations of cost and accessibility.

The improvement of land-related conflict resolution mechanisms should be based on the recognition that Pacific societies are in a state of flux, resulting in changes in customary authority and decision-making processes. This implies that land-related conflict resolution mechanisms may need to be revised at various points in time.

Principle 8: The prevention of large-scale land-related conflicts and crises requires the prevention of the mobilisation of land-related grievances and misperceptions.

For the prevention of the mobilisation of often long-standing grievances into large-scale conflicts, easily accessible, accurate and comprehensive information on different aspects of land use is essential, including information about leasehold conditions and distribution of returns to customary landowners.

For the prevention of the escalation of conflict, a whole of country approach is important to ensure equitable economic development, mutual respect regardless of differences, and the rule of, and respect for, law.

C. The role of government, information and capacity development

Principle 9: Governments should play a supporting role in customary land dealings by creating an enabling environment for recognising, protecting and enforcing customary land tenure, encouraging and enforcing fair dealings in the fair use of land, as well as resolving conflicts over land.

A clear legislative framework should provide for integrated customary institutions and formal land administration systems, removing overlap and increasing clarity and coordination of formalised land administration.

A clear legislative framework for dispute resolution should provide for the appropriate mix of customary conflict resolution mechanisms and introduced conflict resolution processes and mechanisms to suit local situations.

Principle 10: Governments should provide for a central geo-referenced information system of landowning groups, their claims, customs and customary laws, and a registry of land dealings and other selected land use and management related information.

Governments must adopt a national framework to support landowners documenting and recording, and registering where relevant, their landowners' groups, membership rules, customs and customary laws about land, consistent with the national land information framework.

Customary land information should be made available to end users, the landowners and other stakeholders in an appropriate form to support them in land dealing negotiations, land use and management decisions, and conflict resolution.

Land use planning and zoning of customary land should be adopted in areas of high demand to systematically guide development.

Principle 11: Customary landowners and outside investors should have appropriate understanding about customary land tenure and introduced land leasing requirements to negotiate fair and equitable land leases and benefit sharing arrangements, minimising the scope for local-level conflict.

Potential investors should have a good understanding of customary tenure systems, including customary laws and decision-making processes, in addition to formal land leasing processes.

Customary landowners should have sufficient understanding regarding customary land tenure and its relation to commercial use, land lease arrangements and financial management to ensure land lease conditions provide fair and equitable returns to the landowners and equitable distribution within landowning groups.

Principle 12: Public land management institutions should be well resourced, competent and responsible.

Public land management institutions should have the necessary knowledge, skills and tools to implement customary land administration and management in a transparent and cost effective manner. Included in this set of knowledge, skills and tools are those related to social aspects of customary land tenure and mediation, in order to support customary land dealings and minimise the scope for conflict.

Implementation Framework

Experience in customary land reform efforts in the region over the last two to three decades suggests that for the implementation of the guiding principles, political commitment and a nationally-owned land reform process are critical. Further, given the sensitivities associated with customary land, systematic and measured reform processes supported by robust information would help overcome misplaced perceptions and fears.

Member countries may take the following key steps to implement the LMCM Guiding Principles for improving access to their customary land and maintaining social harmony. These steps are based on the national sustainable development strategy processes that emphasise stakeholder-based national development planning, implementation and budgetary allocation, (Dalal-Clayton and Bass 2002) as agreed to by member countries under the Pacific Plan Initiative 5.1. These steps can help countries to be in the driver's seat of their own land reform process and better coordinate national efforts and resources with resources of development partners to address their high priority initiatives, consistent with the Pacific Principles of Aid Effectiveness.

Step 1: Obtain political commitment for a customary land reform process.

Step 2: Adopt a stakeholder-based approach and hold nation-wide discussions on land-related matters, to define the land reform agenda. This could be facilitated by a nationally respected champion (s), who could be politicians, community leaders or public officials.

Step 3: Once a common understanding has been achieved, stakeholders together identify a national vision and national land policy framework for customary land reforms, which articulates expected outcomes and key guiding principles to underpin land reforms.

Step 4: Obtain government endorsement of the national land policy framework with clear land reform outcomes linked into national development goals.

Step 5: Government and key stakeholders decide on strategies to address the national land reform agenda focussing on the key outcomes desired, reflecting national land policy goals.

Step 6: Obtain development partner support for priority outcomes-focused programmes of initiatives.

Enclosure 2

THE NIUE DECLARATION ON CLIMATE CHANGE

We, the Leaders of the Pacific Islands Forum, meeting in Niue:

DEEPLY CONCERNED by the serious current impacts of and growing threat posed by climate change to the economic, social, cultural and environmental well-being and security of Pacific Island countries; and that current and anticipated changes in the Pacific climate, coupled with the region's vulnerability, are expected to exacerbate existing challenges and lead to significant impacts on Pacific countries' environments, their sustainable development and future survival;

RECALLING that despite being amongst the lowest contributors to factors causing climate change, the Pacific Islands region is one of the most vulnerable to the impacts of climate change including its exacerbation of climate variability, sea level rise and extreme weather events;

RECOGNISING that societies pursuing a path of sustainable development are likely to be more resilient to the impacts of climate change through enhanced adaptive capacity;

NOTING that despite Pacific Island countries' low greenhouse gas emissions, they are taking significant steps towards reducing their reliance on fossil fuel, with its detrimental economic and environmental consequences;

RECOGNISING the importance of retaining the Pacific's social and cultural identity, and the desire of Pacific peoples to continue to live in their own countries, where possible;

RECALLING Forum Leaders' recognition that climate change is a long-term international challenge requiring a resolute and concerted international effort, and stressing the need for urgent action by the world's major greenhouse gas emitting countries to set targets and make commitments to significantly reduce their emissions, and to support the most vulnerable countries to adapt to and address the impacts of climate change;

WELCOMING in this context the progress made by the international community in the "Bali Road Map" towards a comprehensive global climate change agreement under the United Nations Framework Convention on Climate Change and its Kyoto Protocol, along with the accompanying Bali Action Plan covering mitigation, adaptation, financing and technology, and a dramatic enhancement of effort under the Kyoto Protocol;

RECALLING the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, which calls for Small Island Developing States (SIDS), with the necessary support of the international community, to establish or strengthen and facilitate regional climate change coordination mechanisms, and calls on the international community to facilitate and promote the development, transfer and dissemination to SIDS of appropriate technologies and practices to address climate change;

RECALLING ALSO the Pacific Islands Framework for Action on Climate Change (2006-2015), adopted by Forum Leaders in 2005, which establishes an integrated, programmatic approach to addressing the interlinked causes and effects of climate change-related impacts in the region;

STRESSING the importance of cooperating towards the establishment of an effective post-2012 framework in which all major economies will participate in a responsible manner, underlining the need to achieve both emissions reductions and economic growth in working toward climate stability;

WELCOMING the resources and technical assistance from PFD Partners including new initiatives such as the Japanese Cool Earth Promotion Programme and the European Union's Global Climate Change Alliance (GCCA) that support practical measures to address the impacts of climate change in Pacific Island Countries, while noting that the priority of Pacific SIDS is securing sustainable financing for immediate and effective implementation of concrete adaptation programmes on the ground;

HEREBY:

- **COMMIT** Forum members to continue to develop Pacific-tailored approaches to combating climate change, consistent with their ability to actively defend and protect their own regional environment, with the appropriate support of the international community;

- **FURTHER COMMIT** the members of the Pacific Islands Forum to continue to advocate and support the recognition, in all international fora, of the urgent social, economic and security threats caused by the adverse impacts of climate change and sea level rise to our territorial integrity and continued existence as viable dynamic communities, and of the potential for climate change to impact on intranational and international security;

- **REQUEST** the Secretariat of the Pacific Regional Environment Programme (SPREP) – working in cooperation with other regional and international agencies and bilateral climate change programmes – to continue to meet the individual needs of its member countries through its mandated role of:

  (a) strengthening meteorological services,

  (b) consolidating and distributing information on climate change,

  (c) strengthening adaptation and mitigation measures, and

  (d) increasing Pacific Island countries' capacity to manage their engagement in the United Nations Framework Convention on Climate Change;

  and to secure new and additional financial and technical resources to do this work;

- **ENCOURAGE** the Pacific's Development Partners to increase their technical and financial support for climate change action on adaptation, mitigation and, if necessary, relocation, while welcoming the pledged increases in resources to address the climate change challenge; and to

ensure their assistance aligns with regional and national priorities and supports existing regional and national delivery mechanisms (in accordance with the Pacific Aid Effectiveness Principles 2007, and the Paris Declaration on Aid Effectiveness 2005);

- **FURTHER ENCOURAGE** development partners to increase investment in and support for Pacific Island Countries' efforts to move towards alternative and renewable energy sources, which reduce the emissions of our region and improve energy efficiency, as well as help to address the growing unaffordability of fuel;

- **CALL ON** international partners to assist our development by undertaking immediate and effective measures to reduce emissions, use cleaner fuels, and increase use of renewable energy sources;

- **AGREE** that the high sensitivity and vulnerability of Pacific Island Countries to climate change, including its exacerbation of climate variability, sea level rise and extreme weather events, means that adaptation is a critical response for Pacific governments, and requires urgent support from regional agencies and development partners alike;

- **ENCOURAGE** all Pacific Island countries to act on the ability and information they have now, with the assistance of development partners, to continue to address the impacts of climate change through 'no regrets' or 'low regrets' actions in affected sectors that are already facing development challenges, including food and water security, health, and the capacity to deal with extreme events such as tropical cyclones, flooding and droughts, thereby simultaneously delivering on sustainable development aims;

- **AGREE** that the exacerbating effects of climate change in the region will require Pacific Island Countries to incorporate adaptive strategies into their national sectoral planning, and that this integration will require a high degree of whole-of-government coordination and leadership; and

- **DIRECT** the Forum Secretariat to work with relevant CROP agencies and Forum members to support the implementation of the commitments made in this Declaration, consistent with the Pacific Plan, the Pacific Islands Framework for Action on Climate Change, and other existing regional and international initiatives, including examining the potential for regional climate change insurance arrangements, and building regional expertise in the development and deployment of adaptation technologies; and to report on progress to the 2009 Forum Leaders' meeting.